



STATE OF CONNECTICUT  
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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Testimony of Stephen N. Ment  
Transportation Committee Public Hearing  
March 10, 2010

House Bill 5457, An Act Enhancing Penalties For Harm To  
Vulnerable Users Of A Public Way

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch in regards to **House Bill 5457, An Act Enhancing Penalties for Harm to Vulnerable Users of a Public Way**. The bill provides for enhanced penalties for motor vehicle operators whose careless driving causes injury or death to a vulnerable user of a public way.

While the Judicial Branch takes no position on the substance of the bill, we would respectfully suggest that the penalty structure outlined in sections 1(c) and 1(d) ought to be modified. As written, if a defendant fails to complete a driver retraining program and community service, the matter is returned to court for a "re-sentencing". However, no mechanism is provided for the case to be returned to court.

In order to implement this, we would respectfully suggest the following procedure: A defendant convicted of this new crime would be sentenced to a period of probation or given a conditional discharge. That way, a defendant who fails to comply with the terms of his probation or conditional discharge - namely, paying the fine or completing community service - could be returned to court as a violation of probation or conditional discharge and be sentenced on that charge.

Thank you for the opportunity to submit written testimony.